

EXHIBIT A

COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG
LONDON LOS ANGELES NEW YORK SAN FRANCISCO
SEOUL SHANGHAI SILICON VALLEY WASHINGTON

Bruce A. Baird

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By Electronic Mail

September 18, 2018

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

Re: FREEDOM OF INFORMATION ACT REQUEST

Dear Sir or Madam:

Pursuant to the provisions of the Freedom of Information Act ("FOIA") 5 U.S.C. § 552 *et seq.*, as amended, and the applicable Department of Homeland Security ("DHS") FOIA regulations, I request the following records on behalf of Mr. Marwan Belbeisi and his employer, ANHAM FZCO of Dubai, United Arab Emirates:

- (1) All documents related to the resolution of the investigation conducted by DHS and led by Special Agent Tarrah Romanoff, Resident Agent in Charge of the Office of Professional Responsibility in Fairfax Virginia, into conduct by Homeland Security Investigations Special Agent John Brusseau related to his efforts to contact and obtain information from Mr. Belbeisi. The investigation was conducted between December 2017 and May 2018.

The term "document" as used herein shall mean all of the following, without limitation and by way of description: (a) all printed materials of every kind whatsoever; (b) all handwritten materials of every kind whatsoever; (c) all materials in electronic media regardless of the forms of such media; (d) all drafts of subject documents; (e) all documents referenced in subject documents including those noted as exhibits and attachments as well as those referenced in the bodies of subject documents or in footnotes to subject documents; (f) all documents, otherwise identified, but containing marginal or other annotations handwritten or otherwise; (g) all documents in the form of transcripts of meetings and telephone conversations and memoranda of such meetings and telephone conversations whether printed or hand written; (h) to the extent not covered by the definitions in a-g, all materials generated by or received by any government employee, consultant or other person having any relationship to the government; (i) to the extent not covered by the definitions in a-h, all materials generated by any person not in the employ of the government, including but not limited to lawyers, foreign government officials of every level, other interested parties and non-parties to any communications on any relevant subject.

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Responsive documents are requested to be produced in their entirety, including all attachments, enclosures, and exhibits. In the event that it is determined that a document contains material or information which falls within statutory exemptions to mandatory disclosure, it is requested that such material or information be reviewed for possible discretionary disclosure, consistent with the presumption of openness codified in the Freedom of Information Act Improvement Act of 2016. Pub. L. 114-185. Similarly, in the event that it is determined that a document contains material or information which falls within the statutory exemptions to mandatory disclosure, it is expressly requested that, in accordance with the provisions of 5 U.S.C. § 552(b), any and all reasonably segregable portions of such document be produced. To the extent that you determine that any subject document will not be disclosed, you are requested to identify such documents in accordance with the requirements of *Vaughn v. Rosen*, 523 F.2d 1136 (D.C. Cir. 1975).

We further request that, pursuant to 5 U.S.C. § 552(a)(3)(B),¹ your department produce responsive documents in the native electronic format in which the document was created. To the extent that your agency is unable to produce the responsive documents in the requested format, we request that your department confirm that the record does not exist in native format and produce the documents in the following format, listed in accordance with our preference: (1) PDF format; or (2) paper copy.

While the burden is on the government to provide a determination within 20 working days, we are willing to discuss and agree upon the means and sequence of production to facilitate government compliance with the law. To the extent you have any questions after reviewing our request, do not hesitate to contact undersigned counsel.

This firm and the undersigned will be responsible for the reasonable cost of locating and reproducing the requested documents to the extent required by your regulations.

Mr. Belbeisi's affirmation is enclosed with this letter. Please direct all correspondence related to this request to:

Bruce A. Baird
Covington & Burling LLP
One CityCenter
850 Tenth Street NW
Washington, D.C. 20001
bbaird@cov.com
202-662-5122

Thank you in advance for your assistance with this matter.

¹ 5 U.S.C. § 552(a)(3)(B) provides that: In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format. Each agency shall make reasonable efforts to maintain its records in forms or formats that are reproducible for purposes of this section.

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Respectfully submitted,



Bruce A. Baird

Encl.

Freedom of Information Act Office

U.S. Department of Homeland Security
500 12th St SW, Stop 5009
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

AFFIRMATION/DECLARATION

This is to affirm that

I, Marwan AlBabisi (also known as Marwan Belbeisi),
(PRINT FULL NAME)

request access to records maintained by the Immigration and Customs
Enforcement which pertain to me. My present address is:

1525 Lincoln Cr. Apt. 215. McLean, VA 22102

my date of birth is: February 25, 1977, and

my place of birth was: Irbid, Jordan.

I understand that any knowingly or willfully seeking or obtaining access to records about
another person under false pretenses is punishable by a fine of up to \$5,000. I also
understand that any applicable fees must be paid by me.

I hereby authorize Bruce A. Baird access to my records.
(PRINT FULL NAME)

I request that any located and disclosable records be forwarded to the following individual:

Bruce A. Baird at the following address:
(PRINT FULL NAME)

Covington & Burling LLP, One City Center, 850 10th St. NW, Washington, DC 20001

I hereby declare or certify under penalty of perjury that the foregoing is true and correct.

Executed on Sep 13, 2018
(DATE)


(SIGNATURE OF AFFIRMANT/DECLARANT).

PLEASE RETURN TO: U.S. Department of Homeland Security
Immigration and Customs Enforcement
500 12th Street, SW, Stop 5009, Washington, DC 20536-5009
Via Facsimile: 202-732-4265;
Via email: ice-foia@dhs.gov